THE HON'BLE SRI JUSTICE A.GOPAL REDDY

WRIT PETITION No.25613 of 2000

Date: 25.07.2007

Between:

B. Krishna Chaitanya, S/o.Muralidhara Rao

..... PETITIONER

AND

1. The Convenor,
   EAMCET-2000,
   Andhra Pradesh State Council of Higher Education,
   Hyderabad and others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE A.GOPAL REDDY

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ORAL ORDER:

The petitioner filed this writ petition seeking a writ of *mandamus* declaring the action of the second respondent in not issuing the Scheduled Tribe Community Certificate to him basing on the Certificate issued by the third respondent, as arbitrary and illegal, and consequently to direct the third respondent to issue the Scheduled Tribe Community Certificate to him.

It is stated that the petitioner appeared for EAMCET-2000 examination held on 05.05.2000 and obtained a rank of 94,632 and that he also appeared aptitude test for B.Arch on 14.07.2000 and obtained a rank of 0771. He attended the councilling on 25.08.2000 and got free seat in B.Aarch allotted in S.V.C. College, Madapur, Hyderabad. It is also stated that he belongs to Konda Kapu Caste, which is notified as a Scheduled Tribe Community and that when he appeared for the final councilling for B.Arch., the first respondent insisted to submit the latest community certificate by 21.12.2000, failing which, his seat will be cancelled. Hence, the present writ petition.

A counter-affidavit has been filed by the third respondent stating that there is no record in his office to show that the petitioner, his brother and sister have obtained certificates from his office; that since the petitioner is not residing within his jurisdiction, he is not competent to issue community certificate to him (petitioner); that the petitioner did not submit any application to him for issuing community certificate; and that according to Annexure-I of A.P. S.C. S.T. and B.C. issue of Community, Nativity and Date of Birth Certificates Rules, 1997, the competent

authority to issue community certificate to the person belonging to Konda Kapu caste is the Revenue Divisional Officer, under whose territorial jurisdiction the applicant comes. In view of the same, the petitioner cannot be issued the community certificate as prayed for.

None appears for the petitioner and the learned counsel for the petitioner is absent.

Since there was an interim direction granted by this Court to consider the case of the petitioner as per Rule 19 of the Andhra Pradesh (Scheduled Castes, Scheduled Tribes and Backward Classes) Regulation of issue of Community Certificates Rules, 1993, the petitioner is at liberty to pursue the matter before the authorities concerned as per the Rules for obtaining the community certificate.

The writ petition is accordingly dismissed. There shall be no order as to costs.

A. GOPAL REDDY, J

Date: 25.07.2007

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